

DISCUSSION OF AMENDMENT

Claims 1-26 are pending. Claims 1 and 26 are amended in order to improve readability. Support for the amendment to Claim 1 is found on page 1, lines 9-10. Claims 8 and 17 are amended to correct improper multiple-dependencies. New Claims 27-32 are added. Support for new Claims 27-29 is found in original Claim 8, while support for new Claims 30-32 is found in original Claim 17.

No new matter is believed to be added upon entry of the amendment.

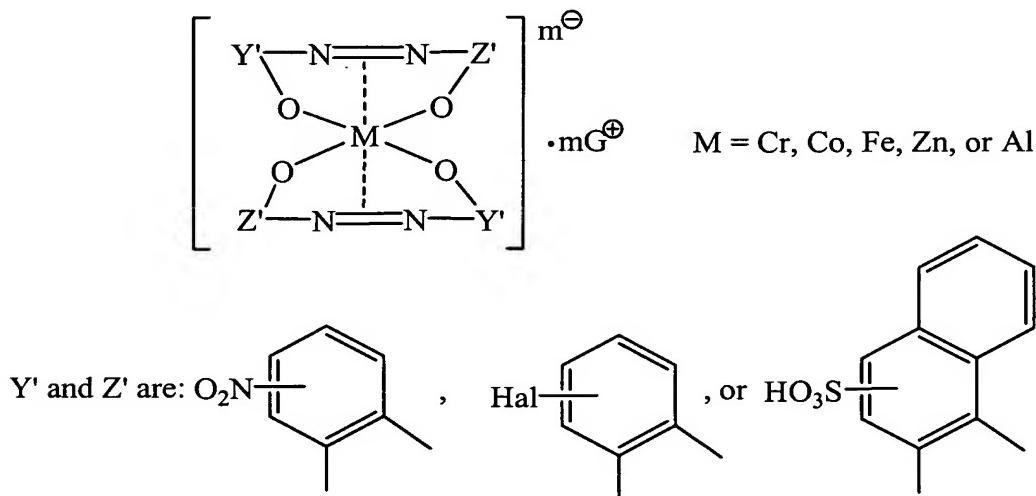
Upon entry of the amendment, Claims 1-32 will be active.

REMARKS

Applicants thank Examine Goodrow for conducting the kind and courteous discussion with Applicants' representative, Daniel R. Evans, on November 8, 2005. The content of the discussion is reflected in the amendments to the claims and the following remarks.

The rejection of Claims 1-6 under 35 U.S.C. § 103(a) over the combined disclosures of Metz (US 6,168,895 (US '895)) and Chambon (US 5,204,453 (US '453)) is respectfully traversed.

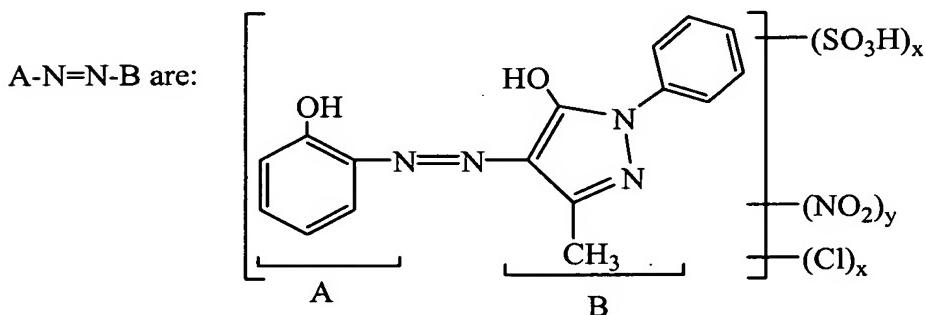
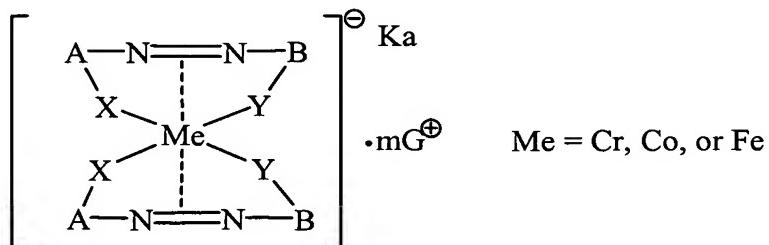
US '895 discloses electrophotographic toner material containing bis(azo)-metal complexes as charge control agents. US '895 discloses that the following metal complex may be used in charge control agents (col. 12, lines 30-65):



Applicants note that this complex is unlike that which is claimed in Claim 1 because the complexes disclosed in US '895 do not contain a ligand containing a pyrazole derivative. It would appear that the Office has relied upon the disclosure of US '453 in order to rectify this deficiency.

US '453 also discloses bis(azo)-metal complexes, but these complexes are employed in the dyeing of wool, synthetic textile polyamide fiber materials, or leather (see Abstract).

Applicants note that it may be true that US '453 discloses bis(azo)-metal complexes, see US '453 at col. 7, lines 5-15 and col. 8, lines 30-40; however, it is believed that these complexes are distinguishable from the claimed monoazo iron complex (see Claim 1).



For example, US '453 discloses that the phenol portion (A ring) is substituted by both  $-NO_2$  and  $-SO_3H$  substituents (see US '453; Example Nos. 3-9, 13-15, and 17-22).

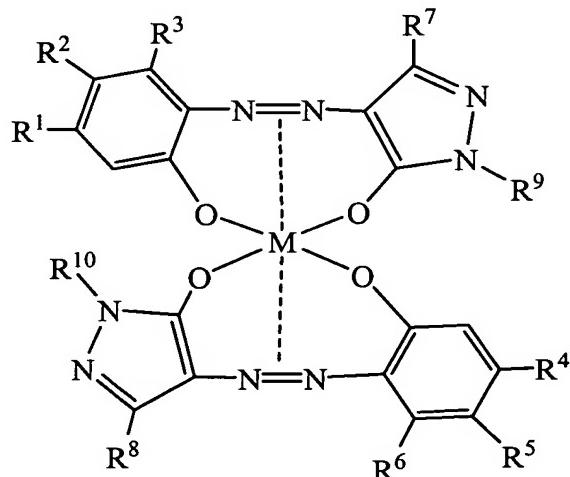
The Examiner's attention is directed to the language of Claim 1 in which the substituents of the A ring,  $A_1$ ,  $A_2$ ,  $B_1$ , and  $B_2$  "are respectively independently H, an alkyl group or a halogen atom." Applicants note that neither  $-NO_2$  nor  $-SO_3H$  substituents are recited in Claim 1. Accordingly, the compounds disclosed in US '453 are also different from the presently claimed complex; and since the same is true for US '895, it is believed that the rejection of Claims 1-6 over the combined disclosures of US '895 and US '453 is improper. It is respectfully requested that the Examiner acknowledge the same and withdraw this rejection.

Reply to Office Action of September 21, 2005

The rejection of Claims 24-26 under 35 U.S.C. § 102(b) over either JP 11-020317 (JP '317) or JP 2002-264521 (JP '521) is respectfully traversed.

Applicants note that neither JP '317 nor JP '521 disclose or suggest the compounds claimed in Claims 24-26. Applicants direct the Examiner's attention to the **Information Disclosure Statement** which cites English translations of JP '317 and JP '521.

Applicants note that the azo complexes are similar, and in order to appreciate the differences between that which is disclosed in both JP '317 and JP '521 and that which is presently claimed, Applicants present the following formula and comparison table.



No	R <sup>1</sup>	R <sup>2</sup>	R <sup>3</sup>	R <sup>4</sup>	R <sup>5</sup>	R <sup>6</sup>	R <sup>7</sup>	R <sup>8</sup>	R <sup>9</sup> – and – R <sup>10</sup>	M
<b>JP '317</b>										
2	H	NO <sub>2</sub>	H	H	NO <sub>2</sub>	H	H	H	Ph	Fe
5	H	Br	H	H	Br	H	H	H	p-OMePh	Fe
12	NO <sub>2</sub>	H	CH <sub>3</sub>	NO <sub>2</sub>	H	CH <sub>3</sub>	CH <sub>3</sub>	CH <sub>3</sub>	m-SO <sub>2</sub> NH <sub>2</sub> -Ph	Fe
18	Et	H	Et	Et	H	Et	Et	Et	p-OMePh	Fe
<b>JP '521</b>										
1	H	NO <sub>2</sub>	H	H	NO <sub>2</sub>	H	Et	Et	p-OMePh	Fe
9	H	Br	NO <sub>2</sub>	H	Br	NO <sub>2</sub>	CH <sub>3</sub>	CH <sub>3</sub>	p-OMePh	Fe
<b>Claim 24</b>										
	H	Cl	H	H	Cl	H	H	H	p-ClPh	Fe
<b>Claim 25</b>										
	H	Cl	H	H	Cl	H	H	H	Ph	Fe
<b>Claim 26</b>										
	H	Cl	H	H	Cl	H	H	H	Ph	Fe

Applicants note that none of the iron-azo complexes disclosed in the Examples of either JP '317 or JP '521 anticipate the claimed compound. Based on the English Abstract of JP '317, R<sup>9</sup> and R<sup>10</sup> "represent an alkyl group with the number of carbon atoms of 1-5, [a] halogen atom, an NO<sub>2</sub> group, an SO<sub>2</sub>NH<sub>2</sub> group, etc." Accordingly, the disclosure of JP '317, as discerned from the machine-generated English translation of the Abstract, does not disclose or suggest the presently claimed compound. Furthermore, it may be true that the machine-generated English translation of the JP '521 provides a suggestion that R<sup>9</sup> and R<sup>10</sup> may be an aryl group, but this suggestion is remote at best. For example, when this suggestion is viewed in light of the disclosure of JP '521, it is believed that there can be no suggestion for the combination of substituents in the compounds that are claimed in Claims 24-26. Accordingly, it is respectfully requested that the Examiner acknowledge the same and withdraw these rejections.

The rejection of Claim 1 under 35 U.S.C. § 112, second paragraph, is believed to be obviated by amendment.

Applicants have amended Claim 1 in accordance with the Examiner's suggestion. It is respectfully requested that the Examiner withdraw this rejection.

The objection of Claims 8 and 17 under 37 CFR 1.75(c) is obviated by amendment.

Applicants have removed the improper multiple dependent claim language.

Accordingly, it is respectfully requested that the Examiner withdraw this objection.

Application No. 10/714,853  
Reply to Office Action of September 21, 2005

Applicants file concurrently herewith an **Information Disclosure Statement** which cites English translations of JP '317 and JP '521. Applicants respectfully request that the Examiner acknowledge consideration of these two disclosures.

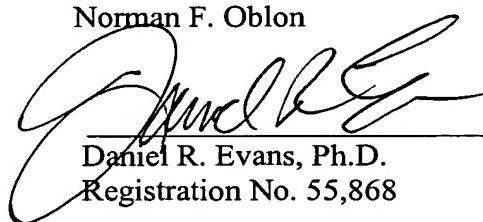
In view of the amendments to the claims and the comments contained herewith, it is believed that the present application is in a condition for allowance. An early and favorable consideration of the same is respectfully requested. Should the Examiner deem that a personal or telephonic interview would be helpful in advancing this application toward allowance, he is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



---

Daniel R. Evans, Ph.D.  
Registration No. 55,868